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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KRISTEN NICODEMUS,

No. C 12-4430 MMC

Plaintiff,

**ORDER OF DISMISSAL**

v.

BIRD BRAIN, INC., et al.,

Defendants

/

The parties having advised the Court they have agreed to a settlement of this cause  
(see Civil Minute Order filed February 26, 2013),

IT IS HEREBY ORDERED that plaintiff's claims alleged against defendants herein  
be dismissed without prejudice; provided, however, that if any party hereto shall certify to  
this Court, within forty-five (45) days, that the agreed consideration for said settlement has  
not been delivered over, the foregoing Order shall stand vacated and this cause shall  
forthwith be restored to the calendar for further proceedings as appropriate.

**IT IS SO ORDERED.**

Dated: February 26, 2013

MAXINE M. CHESNEY  
United States District Judge

